

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SIXTH LEGISLATURE

**THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 10, 2022**

Senate Chamber

President McGeachin called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Woodward, absent and formally excused by the Chair.

Prayer was offered by Chaplain Doug Armstrong.

The Pledge of Allegiance was led by Haydon Madison, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 9, 2022, was read and approved as corrected.

LAKEY, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 114

BY EDUCATION COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
HONORING THE LIFE AND ACHIEVEMENTS OF COACH
ED CHEFF.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Ed Cheff was native to the Northwest, having been born in Butte, Montana, and raised in Woodland, Washington; and

WHEREAS, Ed attended Lewis & Clark College in Portland, Oregon, where he played baseball and football; and

WHEREAS, Ed began his coaching career as an assistant high school football coach in Tillamook, Oregon. In 1973, he became the baseball coach at Lower Columbia College in Longview, Washington, where in four seasons his record was 120-30; and

WHEREAS, in 1977, Ed moved to Idaho, assuming the head baseball coaching position at Lewis-Clark State College (LCSC) in Lewiston, where he compiled a 1,705-430-2 record, the fifth-most wins of a college baseball coach at any level of competition. With a .798 winning percentage, the second-highest

for a college baseball coach, Ed achieved one of the most successful records in college baseball and in college sports in general; and

WHEREAS, under Ed's leadership, the LCSC Warriors became a national powerhouse, winning 16 national championships in the National Association of Intercollegiate Athletics (NAIA), by far the most for any college baseball coach at any level; and

WHEREAS, Ed's baseball teams were famous for their discipline and toughness, with many of their practices inspired by football drills; and

WHEREAS, Ed's teams, despite playing in the NAIA, had a winning record against their National Collegiate Athletic Association (NCAA) opponents, including celebrated victories over highly ranked teams such as eventual NCAA champion Wichita State in 1989; and

WHEREAS, Ed's athletes included 72 NAIA All Americans and three NAIA Players of the Year. Of the athletes Ed coached, 114 were selected in the Major League draft and 16 played in the Major League; and

WHEREAS, Ed also served on the coaching staff for Team USA baseball in 1991 and 1994; and

WHEREAS, Ed was named NAIA Coach of the Year eight times and won the Lefty Gomez Award for lifetime achievement in amateur baseball in 2009; and

WHEREAS, Ed retired in 2010, remarking that he "never got burned out on baseball" and that he "loved it to the last game, the last practice"; and

WHEREAS, upon Ed's retirement, Coach Woody Hunt of Cumberland University called him "maybe the greatest coach in college baseball history"; and

WHEREAS, Ed was inducted into the NAIA Hall of Fame in 1994, the American Baseball Coaches Association Hall of Fame in 2006, and the National College Baseball Hall of Fame in 2012; and

WHEREAS, Ed was the first inductee in the Warrior Hall of Fame in 2011; and

WHEREAS, LCSC renamed its baseball stadium the Ed Cheff Stadium at Harris Field in 2017; and

WHEREAS, Ed and his baseball teams were known for their community outreach, volunteering at schools and on other service projects; and

WHEREAS, Ed passed away at home on January 15, 2022, at the age of 78; and

WHEREAS, Ed left an indelible mark on college baseball, LCSC, Lewiston, and the State of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature honors the life and achievements of Coach Ed Cheff, recognizes his outstanding contributions to college baseball, Lewis-Clark State College, Lewiston, and the State of Idaho, and extends its condolences and best wishes to his family and friends, including Ed's wife Karen and his sons Trevor, Tyler, and Toby.

SCR 115

BY EDUCATION COMMITTEE A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
SUPPORTING THE DEVELOPMENT OF STAND-ALONE
CIVICS STANDARDS FOR IDAHO ELEMENTARY AND
SECONDARY STUDENTS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, civic engagement is the foundation of our nation's form of democratic government; and

WHEREAS, participation in civic activities is essential to sustain our form of government; and

WHEREAS, research shows that civic engagement has declined in the United States in recent years; and

WHEREAS, civics education is essential in ensuring that students are informed and effective citizens who understand their responsibilities and rights; and

WHEREAS, public schools should promote students' knowledge and understanding of the foundational principles of the American system of government, including the Constitution, rule of law, separation of powers, judicial review, and federalism; and

WHEREAS, Section 33-1602, Idaho Code, requires that instruction in citizenship shall be given in all elementary and secondary schools; and

WHEREAS, all secondary pupils must show they have met the state civics and government standards through the successful completion of a civics examination in order to graduate; and

WHEREAS, national studies have found that Idaho's social studies and civics standard should be strengthened to better prepare students to participate in civic life; and

WHEREAS, Idaho's social studies standards, where current standards on civics are incorporated, are scheduled for review and updates; and

WHEREAS, stand-alone civics standards would better support student understanding of our nation's system of government and the opportunities and responsibilities of citizenship; and

WHEREAS, civics standards should emphasize the importance of an understanding of natural law as recognized by the American founders based on the works of Cicero and John Locke, which philosophy underpins the Declaration of Independence and the thinking of the founders.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-sixth Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature does hereby resolve to call upon the State Department of Education to work with a group of stakeholders, including parents, educators, education organizations, and legislators, to develop stand-alone standards for civics instruction that include the teaching of natural law in Idaho schools for consideration by the State Board of Education and the Legislature.

[SCR 114](#) and [SCR 115](#) were introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Woodward was recorded present at this order of business.

February 10, 2022

The JUDICIARY AND RULES Committee reports that [S 1281](#), [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), and [S 1288](#) have been correctly printed.

LAKEY, Chairman

[S 1281](#) and [S 1282](#) were referred to the Commerce and Human Resources Committee.

[S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), and [S 1287](#) were referred to the Health and Welfare Committee.

[S 1288](#) was referred to the State Affairs Committee.

February 9, 2022

The RESOURCES AND ENVIRONMENT Committee reports out [S 1228](#) with the recommendation that it do pass.

VICK, Chairman

[S 1228](#) was filed for second reading.

February 9, 2022

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Mike Edmondson as the Administrator of the Office of Species Conservation, term to continue at the pleasure of the Governor.

VICK, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 9, 2022

The JUDICIARY AND RULES Committee reports out [H 444](#) with the recommendation that it do pass.

LAKEY, Chairman

[H 444](#) was filed for second reading.

February 9, 2022

The EDUCATION Committee reports out [S 1253](#) with the recommendation that it do pass.

THAYN, Chairman

[S 1253](#) was filed for second reading.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 9, 2022

Dear Madam President:

I transmit herewith [H 480](#), [H 455](#), [H 469](#), [H 501](#), [HJM 3](#), [H 461](#), and [H 506](#), which have passed the House.

MAULIN, Chief Clerk

[H 480](#), [H 455](#), [H 469](#), [H 501](#), [HJM 3](#), [H 461](#), and [H 506](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of John Hammond was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Burgoyne disclosed a possible conflict of interest under applicable law.

On motion by Senator Stennett, seconded by President Pro Tempore Winder, the Gubernatorial appointment of John Hammond as a member of the Public Utilities Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Brett Thomas was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Patrick, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Brett Thomas as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for her signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1289

**BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO THE LEGISLATURE; AMENDING CHAPTER 4, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-465, IDAHO CODE, TO AUTHORIZE THE LEGISLATURE TO INTERVENE IN CERTAIN ACTIONS REGARDING CONSTITUTIONALITY OF AN IDAHO STATUTE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1290

**BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE RURAL AND UNDERSERVED EDUCATOR INCENTIVE PROGRAM; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 65, TITLE 33, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE RURAL AND UNDERSERVED EDUCATOR INCENTIVE PROGRAM, TO DEFINE TERMS, TO PROVIDE FOR CERTAIN DUTIES REGARDING CRITICAL QUALITY EDUCATOR SHORTAGES, TO PROVIDE FOR LOAN REPAYMENT ASSISTANCE IN CERTAIN INSTANCES, AND TO PROVIDE FOR AWARD PROTOCOLS AND STATUTORY CONSTRUCTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

S 1291

**BY EDUCATION COMMITTEE
AN ACT**

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5206, IDAHO CODE, TO PROVIDE FOR CERTAIN ALTERNATIVE CERTIFICATION METHODS FOR TEACHERS; AMENDING SECTION 33-5209C, IDAHO

CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5210, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[S 1289](#), [S 1290](#), and [S 1291](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 480](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 455](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 469](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 501](#), by Judiciary, Rules and Administration Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[HJM 3](#), by Judiciary, Rules and Administration Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 461](#) and [H 506](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1254](#) and [S 1267](#), by Transportation Committee, were read the second time at length and filed for third reading.

[H 450](#), by Commerce and Human Resources Committee, was read the second time at length and filed for third reading.

[H 472](#), by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

[H 445](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1256](#), [S 1257](#), [S 1258](#), and [S 1266](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1272](#), [S 1273](#), and [S 1274](#), by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1262](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Blair (Johnson), Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Lakey, Lee, Lent, Lodge, Martin, McClusky (Heider), Nelson, Patrick, Rice, Ricks (Ricks), Riggs, Souza, Thayn, VanOrden (Bair), Vick, Ward-Engelking, Winder, Woodward, Zito. Total - 30.

NAYS—Burgoyne, Nye, Semmelroth, Stennett, Wintrow. Total - 5.

Total - 35.

Whereupon the President declared [S 1262](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1255](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Den Hartog arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Agenbroad, Anthon, Bayer, Blair (Johnson), Burgoyne, Burtenshaw, Cook, Crabtree, Den Hartog, Grow, Guthrie, Harris, Lakey, Lee, Lent, Lodge, Martin, McClusky (Heider), Nelson, Patrick, Rice, Ricks (Ricks), Riggs, Semmelroth, Souza, Stennett, Thayn, VanOrden (Bair), Vick, Ward-Engelking, Winder, Wintrow, Woodward, Zito. Total - 34.

NAYS—Nye. Total - 1.

Total - 35.

Whereupon the President declared [S 1255](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Anthon, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Anthon, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:18 p.m. until the hour of 10:45 a.m., Friday, February 11, 2022.

JANICE MCGEACHIN, President

Attest: JENNIFER NOVAK, Secretary